

UNITED STATES DISTRICT COURT
Eastern District of California

UNITED STATES OF AMERICA
V.

JUDGMENT INCLUDING SENTENCE
UNDER THE SENTENCING REFORM ACT

BILLY DEAN KAESTNER
(Name of Defendant)

Case Number: **Cr. S-91-00409-001**

J. Patrick McCarthy, Esq.
Defendant's Attorney

THE DEFENDANT:

[X] Plead guilty to count(s) ONE (1) AND TWO (2) OF THE INDICTMENT.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Count Number(s)</u>	<u>Date of Offense</u>
21 USC 841(a)(1)	Possession of Methamphetamine with Intent to Distribute	1	7-31-91
21 usc 841(A)(1)	Possession of Cocaine With Intent to Distribute	2	7-31-91

The defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

[X] The mandatory special assessment imposed by this Judgment is \$100 payable no later than 90 after release from confinement.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of residence or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Defendant's Soc. Sec. Number:

.7042

Defendant's mailing address:

In Custody

Defendant's residence address:
(including County of residence)

Sacramento County

February 5, 1992

Date of Imposition of Sentence

William B. Shubb
Signature of Judicial Officer

WILLIAM B. SHUBB, USDJ

Name and Title of Judicial Officer

2/11/92
Date

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FILED

FEB 11 1992

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BY _____ DEPUTY CLERK

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Defendant: BILLY DEAN KAESTNER
Case Number: Cr. S-91-00409-001

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of:

ONE HUNDRED TWENTY (120) MONTHS. This term consists of terms of 120 months as to each of Counts One and Two, all terms to be served concurrently.

[] The Court makes the following recommendations to the Bureau of Prisons:

[X] The defendant is remanded to the custody of the United States Marshal.

[] The defendant shall surrender for service of the sentence at the institution designated by the Bureau of Prisons, or the United States Marshal for this district,

[] before 2:00 p.m. on _____.

[] as notified by the United States Marshal.

[] as notified by the Probation Office.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this
Judgment.

United States Marshal

By _____

Deputy Marshal

Defendant: BILLY DEAN KAESTNER
Case Number: Cr. S-91-00409-001

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of FIVE (5) YEARS. Within 72 hours of release from the custody of the Bureau of Prisons, the defendant shall report in person to the probation office in the district to which the defendant is released.

While on supervised release, the defendant shall not commit another federal, state, or local crime and shall not possess a firearm or destructive device. The defendant shall comply with the standard conditions that have been adopted by this court (set forth on the following page) and shall comply with the following additional conditions:

- 1) You shall submit to the search of your person, property, home, and vehicle by a U.S. Probation Officer, or any other authorized person under the immediate and personal supervision of the probation officer, without a search warrant.

Defendant: BILLY DEAN KAESTNER
Case Number: Cr. S-91-00409-001

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) the defendant shall not leave the judicial district without permission of the court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risk that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notification and to confirm the defendant's compliance with such notification requirement.

These conditions are in addition to any other conditions imposed by this Judgment.